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Message Text

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ORIGIN EUR-12

INFO OCT-01 IO-10 ISO-00 L-02 SS-15 CIAE-00 DODE-00 PM-03

H-01 INR-05 NSAE-00 NSC-05 PA-01 RSC-01 PRS-01 SP-02

USIA-06 CU-02 ACDA-05 SAJ-01 SCA-01 VO-03 PPT-01

SCS-03 MMS-01 /082 R

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C:RBLACKWILL
S/S: JPMOFFAT
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FM SECSTATE WASHDC
TO USMISSION GENEVA PRIORITY
INFO USMISSION NATO
AMEMBASSY MOSCOW

C O N F I D E N T I A L STATE 264709

E.O. 11652: GDS
TAGS: CSCE, PFOR, XG
SUBJECT: CSCE: HUMAN CONTACTS--MARRIAGES

REFS: A) GENEVA 7198; B) MOSCOW 17999

GENEVA FOR USDEL CSCE

1. AGREE WITH EMBASSY MOSCOW (REFTEL B) THAT TEXT (REFTEL A) COULD BE STRONGER ON SUBJECT OF PERMISSION TO MARRY AS DISTINGUISHED FROM PERMISSION TO ENTER OR LEAVE COUNTRY IN CONNECTION WITH MARRIAGE. HOWEVER, SINCE CURRENT LANGUAGE HAS BEEN ON TABLE SO LONG, WE BELIEVE SOVIETS ARE LIKELY TO RESIST STRENGTHENING IT AT THIS LATE STAGE. BEFORE PROVIDING DETAILED COMMENTS, THEREFORE, WE WOULD APPRECIATE DELEGATION'S ASSESSMENT OF LIKELY
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ACCEPTABILITY TO SOVIETS OF EMBASSY MOSCOW'S PROPOSALS.

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2. AS FOR DRAFT TEXT REFTEL A, DEPARTMENT HAS NO OBJECTION TO CROSS-REFERENCING FAMILY REUNIFICATION TEXT AS SOURCE OF DETAILED PROVISIONS FOR MARRIAGES TEXT, A MOVE WHICH HAS CERTAIN INHERENT LOGIC IN ADDITION TO PROVIDING GESTURE TOWARD SOVIETS. WHILE WE HAVE CERTAIN COMMENTS ON TEXT, WE WONDER WHAT SCOPE THERE MAY BE FOR CHANGES IN VIEW OF REPORT REFTEL A THAT NORWEGIANS WERE TO BEGIN DISCUSSIONS WITH SOVIETS NOVEMBER 28. IF CHANGES STILL POSSIBLE, REQUEST YOU CONSIDER PROPOSING THE

FOLLOWING.

3. LATTER PART OF FIRST SENTENCE INTRODUCES CONSIDERABLE IMPRECISION AS TO WHO IS COVERED. WHILE REFERENCE TO "PERSONS" MIGHT BE INTERPRETED TO EXTEND COVERAGE TO CITIZENS OF NON-PARTICIPANTS AS WELL AS CITIZENS OF PARTICIPANTS, REMAINDER OF PHRASE SEEMS TO RAISE POSSI-BILITY OF ARGUING THAT A PARTICIPANT'S OWN CITIZENS ARE NOT COVERED. DUE TO THIS AMBIGUITY, WHICH IS LIKELY TO RAISE TIME-CONSUMING CONTROVERSY, AND TO LIKELIHOOD THAT SOVIETS WOULD VIEW THIS TEXT AS A STEP BACK FROM PREVIOUS NORWEGIAN PROPOSAL (TABLED SEPTEMBER 17), WE WOULD PREFER THE FOLLOWING VERSION, WHICH COMBINES THE INITIAL CLAUSES OF THE NEW TEXT WITH THE COVERAGE DEFINITIONS OF THE PREVIOUS TEXT.

4. "THE PARTICIPATING STATES WILL EXAMINE FAVORABLY, ON THE BASIS OF HUMANITARIAN CONSIDERATIONS, REQUESTS FOR EXIT AND ENTRY PERMITS
FROM THEIR OWN CITIZENS, OR CITIZENS OF OTHER PARTI-CIPATING STATES, WHO WISH TO MARRY."

5. REFERENCE IN LAST SENTENCE OF TEXT TO FAMILY REUNIFI-CATION PROVISIONS ON "COSTS AND SPEED" WOULD, AMONG OTHER THINGS, APPARENTLY FAIL TO EMBRACE THE PROVISION FOR RENEWAL AND REGULAR REVIEW OF REJECTED APPLICATIONS, WHICH WOULD BE DESIRABLE ELEMENT FOR MARRIAGES PACKAGE FROM WESTERN POINT OF VIEW. TO SECURE MAXIMUM APPLI-CATION OF FAMILY REUNIFICATION PROVISIONS TO MARRIAGES, CONFIDENTIAL

SUGGEST ADDITION OF "AND PROCEDURES" FOLLOWING OPENING REFERENCE TO "DOCUMENTS," AND DELETION OF PHRASE "AS FAR AS COSTS AND SPEED ARE CONCERNED." KISSINGER

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